

Notice of Allowability

Application No.

10/797,337

Examiner

Jon A Szumny

Applicant(s)

SOH, SUNG KUK

Art Unit

3632

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to November 17, 2004.
2. ☒ The allowed claim(s) is/are 1,2,4-7,9,10 and 13-22.
3. ☒ The drawings filed on 10 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

This is the second office action for application number 10/797,337, Height-Adjustable Support for Elevating Furniture, filed on March 10, 2004.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Carrier on November 24, 2004.

The application has been amended as follows:

In claim 1, line 6, "component" has been changed to --of the base or cradle--;

In line 11, "other;" has been changed to --other;

wherein said projections are arranged at different elevational levels along an engagement direction of said cradle and said base--;

In line 16, "and adapted to prevent" has been changed to --that is adapted to prevent said leg--;

In the second to last line, "significantly" has been removed;

In the last line, "an upper an upper" has been changed to --an upper--;

In claim 5, line 6, "to receive" has been changed to --receiving--;

In line 17, "platform;" has been changed to --platform;

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wherein said projections are arranged at different elevational levels along an engagement direction of said cradle and said base;--;

In the second to last line, “significantly” has been removed;

In claim 9, lines 2-3, “spaced-apart and extend outwardly from said cradle body,” has been changed to --spaced-apart.--;

Claims 11 and 12 have been cancelled.

Allowable Subject Matter

Claims 1, 2, 4-7, 9, 10 and 13-22 are allowed.

The following is an examiner’s statement of reasons for allowance:

Regarding claims 1 and 5, the prior art as previously applied thereagainst failed to further specifically teach the projections to be arranged at different elevational levels along an engagement direction of said cradle and said base, wherein a circumferential wall extends upwardly from peripheral edges of the support platform that is adapted to prevent a leg from sliding thereoff, wherein in at least one of the different alignments of the cradle and base relative to each other, the cradle support platform is disposed at a level below an upper surface of the base.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

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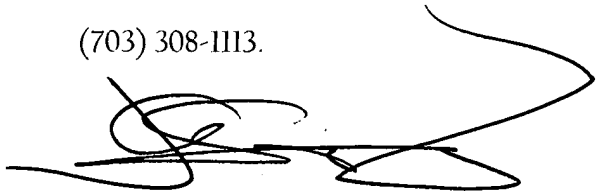
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jon A Szumny whose telephone number is (703) 306-3403. The examiner can normally be reached on Monday-Friday 8-4.

The fax phone number for the organization where this application and proceeding are assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is

(703) 308-1113.

A handwritten signature in black ink, appearing to read 'Jon Szumny', with a long, sweeping horizontal stroke extending to the right.

Jon Szumny
Patent Examiner
Technology Center 3600
Art Unit 3632
November 24, 2004